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Attorney-At-Law

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**FAX MESSAGE**

TO: USPTO – COMMISSIONER FOR PATENTS

DATE: NOVEMBER 30, 2007

TIME: 2:15 PM EST

FROM: S.J. MILLER, ESQ.

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 16

RE: US PATENT APPLICATION NUMBER 10/679,075

MESSAGE:

PLEASE FIND ATTACHED HERETO COMPLETED FORM PTOL-413A,  
APPLICANT INITIATED INTERVIEW REQUEST FORM TOGETHER WITH A  
RELATED 37CFR1.132 DECLARATION, FOR THE ABOVE REFERENCED  
PATENT APPLICATION.

THANK YOU.

  
STEVEN J. MILLER, ESQ.  
USPTO REG. NO. 48368

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PTO/SB/21 (10-07)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/879,075
Filing Date	10/03/2003
First Named Inventor	Steven Durham
Art Unit	3637
Examiner Name	A, PHI DIEU TRAN
Attorney Docket Number	Durham - 2003

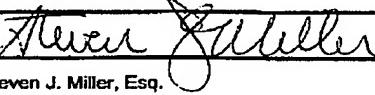
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## ENCLOSURES (Check all that apply)

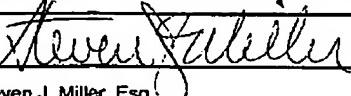
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of transmission Form (PTO/SB/97); Applicant Initiated Interview Request Form (PTOL-413A).
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Miller Law Offices, PLC		
Signature			
Printed name	Steven J. Miller, Esq.		
Date	11/30/2007	Reg. No.	48368

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Steven J. Miller, Esq.
Date	11/30/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION NO. 10/679,075

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

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Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper. Documents included:

This Certificate of Transmission Form (PTO/SB/97); Transmittal Form (PTO/SB/21);

Applicant Initiated interview Request Form (PTOL-413A); Expert (37 CFR 1.132) Declaration by Charles E. Forbes, Ph.D. (12 pages).

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTOL-413A (10-07)  
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## Applicant Initiated Interview Request Form

Application No.: 10/679,075  
Examiner: Phi Dieu Tran AFirst Named Applicant: Steven Durham  
Art Unit: 3637

Status of Application: Non-Final Action

## Tentative Participants:

(1) Examiner Phi Dieu Tran A      (2) Attorney Steven J. Miller, Esq.

(3) Inventor Steven Durham      (4)

Proposed Date of Interview: 5 December 2007

Proposed Time: 1:00PM (AM/PM)

## Type of Interview Requested:

(1) [x] Telephonic    (2) [ ] Personal    (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [x] YES    [ ] NO

If yes, provide brief description: Discussion of Rejected Claims and attached Expert Affidavit

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	21-29; 31-41	All Examiner Listed [ ]	[ ]	[ ]	[ ]
(2)			[ ]	[ ]	[ ]
(3)			[ ]	[ ]	[ ]
(4)			[ ]	[ ]	[ ]
[ ] Continuation Sheet Attached					

## Brief Description of Arguments to be Presented:

Applicant traverses Examiner's last non-final action, and will present Expert Affidavit that Claims are not obvious in light of the Examiner's cited prior art and the knowledge of one skilled in the art as of the subject patent application date.

An interview was conducted on the above-identified application on \_\_\_\_\_.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Steven J. Miller, Esq. - Attorney of Record

Typed/Printed Name of Applicant or Representative

48368

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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